

ASSEMBLY BILL NO. 282—ASSEMBLYMAN FRIERSON

MARCH 15, 2021

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to training for judges and certain court staff. (BDR 1-878)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to courts; authorizing the Nevada Supreme Court to provide by court rule for training on implicit bias for judges; authorizing the Supreme Court to develop training on implicit bias; requiring certain court employees to complete a certain amount of any such training developed by the Supreme Court; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the Nevada Supreme Court to make rules for the
2 government of the courts and the practice of law in this State. (NRS 2.120) This bill
3 further authorizes the Supreme Court to: (1) provide by court rule for training for
4 judges concerning bias based on certain characteristics, including race, ethnicity
5 and gender; and (2) develop training on implicit bias. This bill also requires court
6 employees who interact with the public as part of their regular duties to complete 2
7 hours of any training on implicit bias developed by the Supreme Court every 2
8 years.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 2 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. The Supreme Court may provide by court rule for training*
4 *for judges on racial, ethnic and gender bias, sexual harassment*
5 *and any other bias based on sex, race, color, religion, ancestry,*
6 *national origin, ethnic group identification, age, mental disability,*



1 *physical disability, medical condition, genetic information, marital*
2 *status or sexual orientation.*

3 2. *The Supreme Court may develop training on implicit bias*
4 *based on the characteristics described in subsection 1.*

5 (a) *The training must include, without limitation:*

6 (1) *A survey of the social science on implicit bias,*
7 *unconscious bias and systemic bias, including, without limitation,*
8 *the ways that bias affects institutional policies and practices;*

9 (2) *A discussion of the historical reasons for, and the*
10 *present consequences of, the implicit biases that people hold based*
11 *on the characteristics described in subsection 1;*

12 (3) *Examples of how implicit bias affects the perceptions,*
13 *judgments and actions of judges and court employees, and how*
14 *those perceptions, judgments and actions result in unacceptable*
15 *disparities in access to justice;*

16 (4) *The administration of implicit bias association tests to*
17 *increase awareness of unconscious biases based on the*
18 *characteristics described in subsection 1;*

19 (5) *Strategies on how to reduce the impact of implicit bias*
20 *on parties before the court, members of the public and court*
21 *employees; and*

22 (6) *Inquiries as to how judges may counteract the effects of*
23 *the implicit biases of jurors on the outcome of cases.*

24 (b) *Each court employee who is required, as part of his or her*
25 *regular duties, to interact with the public on matters before the*
26 *court shall complete 2 hours of any training developed by the*
27 *Supreme Court pursuant to this subsection every 2 years.*

28 3. *As used in this section, “judge” means:*

29 (a) *A justice of the Supreme Court;*

30 (b) *A judge of the Court of Appeals;*

31 (c) *A judge of the district court;*

32 (d) *A judge of the municipal court;*

33 (e) *A justice of the peace; and*

34 (f) *Any other officer of the Judicial Branch of this State,*
35 *whether or not the officer is an attorney, who presides over*
36 *judicial proceedings, including, but not limited to, a magistrate,*
37 *court commissioner, special master or referee.*

